

Town of Arlington
Zoning Board of Appeals
51 Grove Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Alex Yerukhimov** of Arlington, Massachusetts on April 25, 2020 a petition seeking permission to alter his property located at **73 Freeman Street - Block Plan 008.0-0003-0007.0** Said petition would require a Special Permit under **Section 8.1.3 (B) (Nonconforming Single-Family or Two-Family Dwellings)** of the Zoning Bylaw for the Town of Arlington.

Hearing in regard to the said petition will be remotely conducted via "Zoom" **Tuesday evening June 23, 2020 at 7:30 P.M or as soon thereafter as the petitioner may be heard. Please visit the Town of Arlington website for hearing information.**

DOCKET NO 3627

Zoning Board of Appeals
Christian Klein, RA, Chair

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

In the matter of the Application of Mr. Alex Yerukhimov
to the Zoning Board of Appeals for the Town of Arlington:
Application for a Special Permit is herewith made, in accordance
with Section 10.11 of the Zoning Bylaw for the Town of Arlington,
seeking relief from the following specific provisions of the Zoning
Bylaw, and as described fully in the attached form, Special Permit
Criteria: Section 8.1.3 (C) Non-Conforming Single-Family or Two-Family Dwellings
The extension of an exterior wall of a single-family or two-family residential structure along a line at the
same nonconforming distance within a required setback may be allowed providing that the
extension creates no new nonconformities, nor increases any open space nonconformities,....

The Petitioner/Applicant states he/she/they is/are the owner - occupant of the land in Arlington located at 73 Freeman St with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals or its predecessors upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows: The existing 2-family home at 73 Freeman St (Lot 7, Book 273, Plan 19) sits on a lot that is nonconforming to Arlington Zoning Code 5.4.2 Dimensional and Density Requirements for R-2 with regards to open space. Mr. and Mrs. Yerukhimov are respectfully requesting a special permit to add a 2nd bathroom to the Unit #2 by means of constructing a dormer to create additional square footage on the already finished 3rd floor/attic.

DocuSigned by:

alex.yerukhimov@gmail.com Date: 3/31/20
7D4733B741EC5487

Special Permit Criteria- The following standards must be addressed and met for the grant of a Special Permit:

1). Indicate where the use requested is listed in the Table of Use Regulations as a Special Permit in the district for which the application is made or is so designated elsewhere in the Arlington Zoning Bylaw.

Existing home is Zoned R-2, Use will not change with the addition of the proposed dormer.

2). Describe how the requested use is essential or desirable to the public convenience or welfare.

Existing home is Zoned R-2, Use will not change with the addition of the proposed dormer.

1067

1067

3). Describe how the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

The proposed does not impact traffic or impair pedestrian safety on the street.

4). Describe how the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.

The proposed dormer will house a new master bathroom, however the bedroom count and number of occupants to the home will not change.

5). Describe how any special regulations for the use, set forth in Article 11, are fulfilled.

6). Describe how the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.

On the section of freeman st that #73 is located, dormers have been used to increase 3rd floor space on the majority of homes.

7). Describe how the requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.

The proposed dormer does not increase occupancy or the number of bedrooms in the house causing zero increase in congestion to the neighborhood.

Many of the homes located on Freeman St already have at least 1 dormer that was used to increase usable floorspace on the 3rd floor

TOWN OF ARLINGTON
 Dimensional and Parking Information
 For application to The Zoning Board of Appeals

1. Property Location: 73 Freeman St Zoning District: R-2
2. Present Use/Occupancy: 2-Family No. of dwelling units (if residential) 2
3. Existing Gross Floor Area (see definition of Gross Floor Area (GFA) in Article 2 of the Town of Arlington Zoning Bylaw and provide supporting documentation (worksheet) showing dimensions of GFA by floor): 4376
4. Proposed Use/Occupancy: 2-Family No. of dwelling units (if residential) 2
5. Proposed Gross Floor Area (see definition of Gross Floor Area in Article 2 of the Town of Arlington Zoning Bylaw and provide supporting documentation (worksheet) showing dimensions of GFA by floor): 4456

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (sq. ft.)	3545	3545	min. 6,000
7. Frontage (ft.)	49.40	49.40	min. 60
8. Floor area ratio	1.23	1.26	max. NA
9. Lot Coverage (%)	39%	39%	max NA
10. Lot Area per Dwelling Unit (sq. ft.)	N/A	N/A	min. NA
11. Front Yard Depth (ft.)	5	5	min. 20
12. Left Side Yard Depth (ft.)	12.9	12.9	min. 10
13. Right Side Yard Depth (ft.)	10.6	10.6	min. 10
14. Rear Side Yard Depth (ft.)	7.8	7.8	min. 14 (20% Lot Depth)
15. Height (stories)	2-1/2	2-1/2	max. 2-1/2
16. Height (ft.)	32	32	max. 24
17. Landscaped Open Space (% of GFA) Sq. ft. <u>2162</u>	49	49	min. 10
18. Usable Open Space (% of GFA) Sq. ft. <u>0</u>	0	0	min. 30
19. Parking Spaces (number)			min.
20. Parking area setbacks			min.
21. Loading Spaces (if applicable)			min.
22. Type of construction	Type V	Type V	

OPEN SPACE/GROSS FLOOR AREA

Refer to Zoning Bylaw Article 2, Definitions and Article 6, Dimensional Regulations

Address 73 Freeman St Zoning District R-2

OPEN SPACE	EXISTING	PROPOSED
Total lot area	<u>3,545</u>	<u>3,545</u>
Open Space (Usable)*	<u>0</u>	<u>0</u>
Open Space (Landscaped)	<u>0</u>	<u>0</u>

*Usable Open Space must be at least 75% open to the sky, free of automotive, traffic and parking, and readily accessible. Open space shall be deemed usable only if : 1) at least 75% of the area has a grade of less than 8% and no horizontal dimension less than 25 feet.

GROSS FLOOR AREA (GFA)

Accessory building	<u> </u>	<u> </u>
Basement or cellar (>5' excluding mechanical area)	<u>1067</u>	<u>1067</u>
1 st Floor	<u>1067</u>	<u>1067</u>
2 nd Floor	<u>1067</u>	<u>1067</u>
3 rd Floor	<u>559</u>	<u>639</u>
4 th Floor	<u> </u>	<u> </u>
5 th Floor	<u> </u>	<u> </u>
Attic (>7'3" in height, excluding elevator, mechanical)	<u> </u>	<u> </u>
Parking garages (except as used for accessory Parking garages or off street loading purposes)	<u> </u>	<u> </u>
All weather habitable porches and balconies	<u>616</u>	<u>616</u>
Total Gross Floor Area (GFA)	<u>4376</u>	<u>4456</u>

REQUIRED MINIMUM OPEN SPACE AREA

Proposed Usable Open Space Percent of GFA 0
Proposed Landscaped Open Space Percent of GFA 0

This worksheet applies to plans dated 3/25/2020 designed by Kevin LambStillwater Building & Renovation, LLCReviewed by Inspectional Services _____ Date: _____



Stillwater

BUILDING AND RENOVATION, LLC

617-987-4226

www.buildstillwater.com

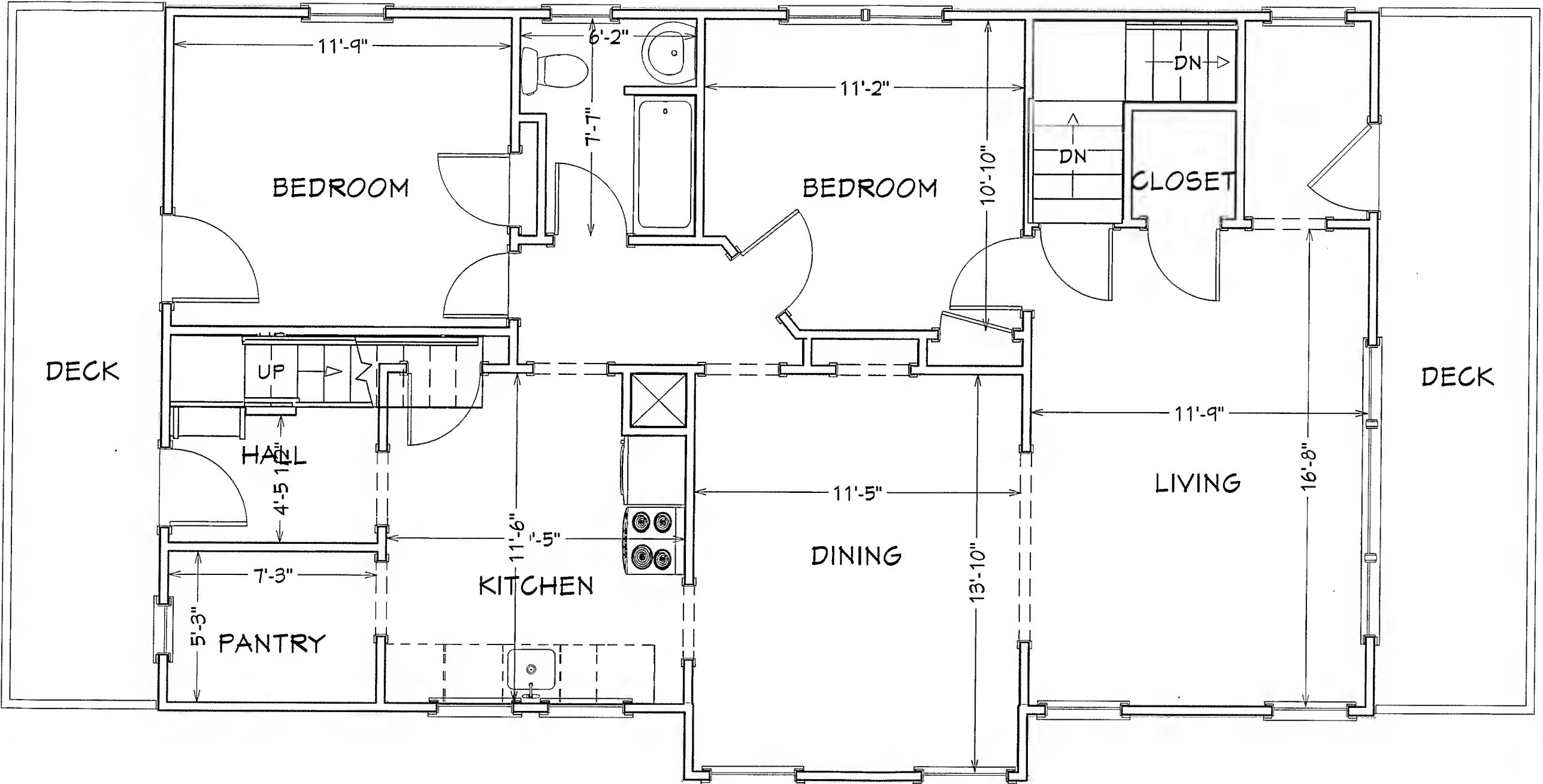
PO Box 518

West Boylston, MA 01583

info@buildstillwater.com

Yerukhimov Renovation

73 Freeman St
Arlington, MA



Sheet Title
EXISTING 2ND FLOOR

Scale
1/4" = 1'0"

Date
3/26/20

Sheet No.



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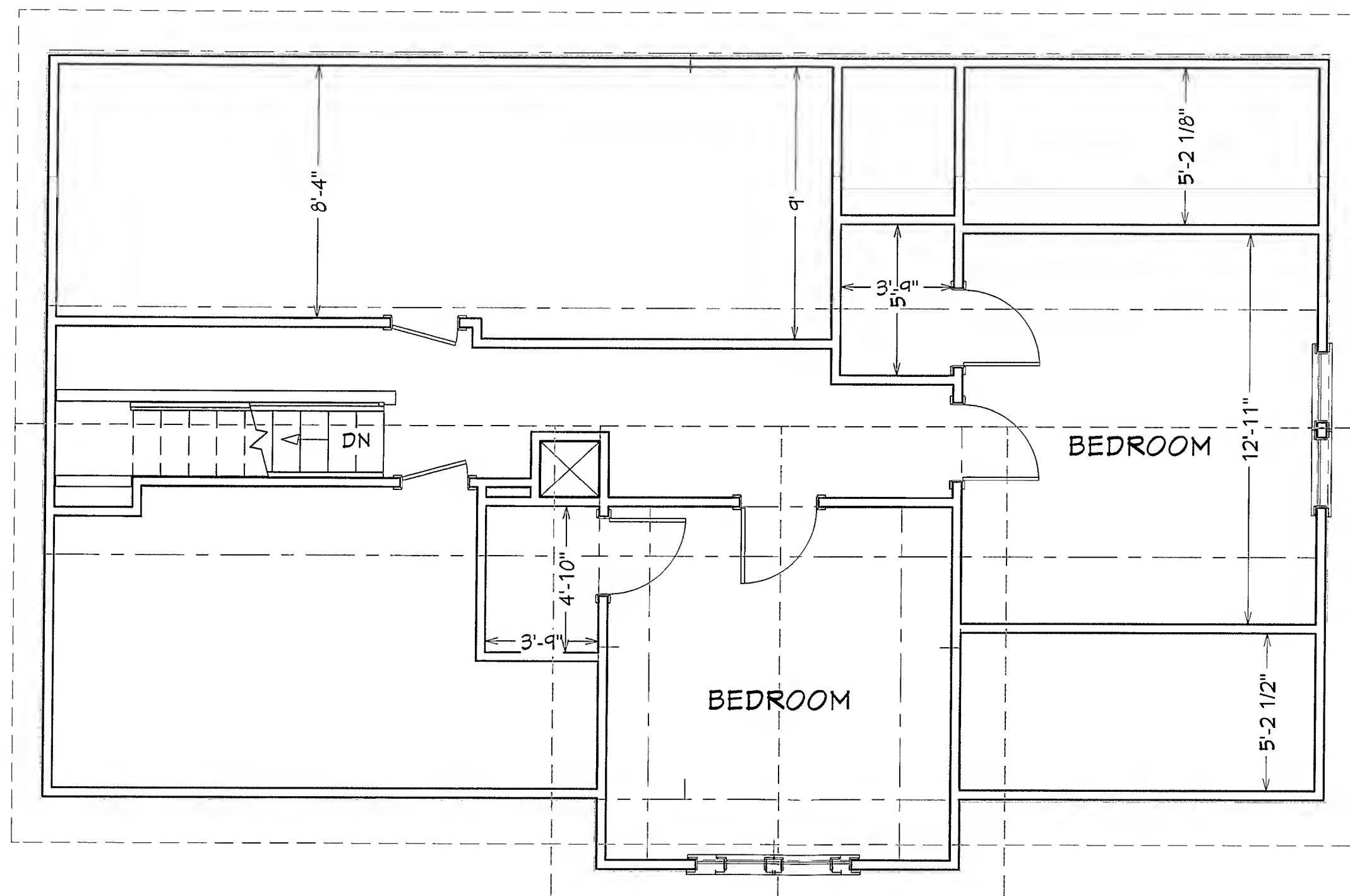
West Boylston, MA 01583

info@buildstillwater.com

Yerukhimov Renovation

73 Freeman St

Arlington, MA



Sheet Title

Existing 3rd Floor

Scale

1/4" = 1'0"

Date

3/26/20

Sheet No.

2



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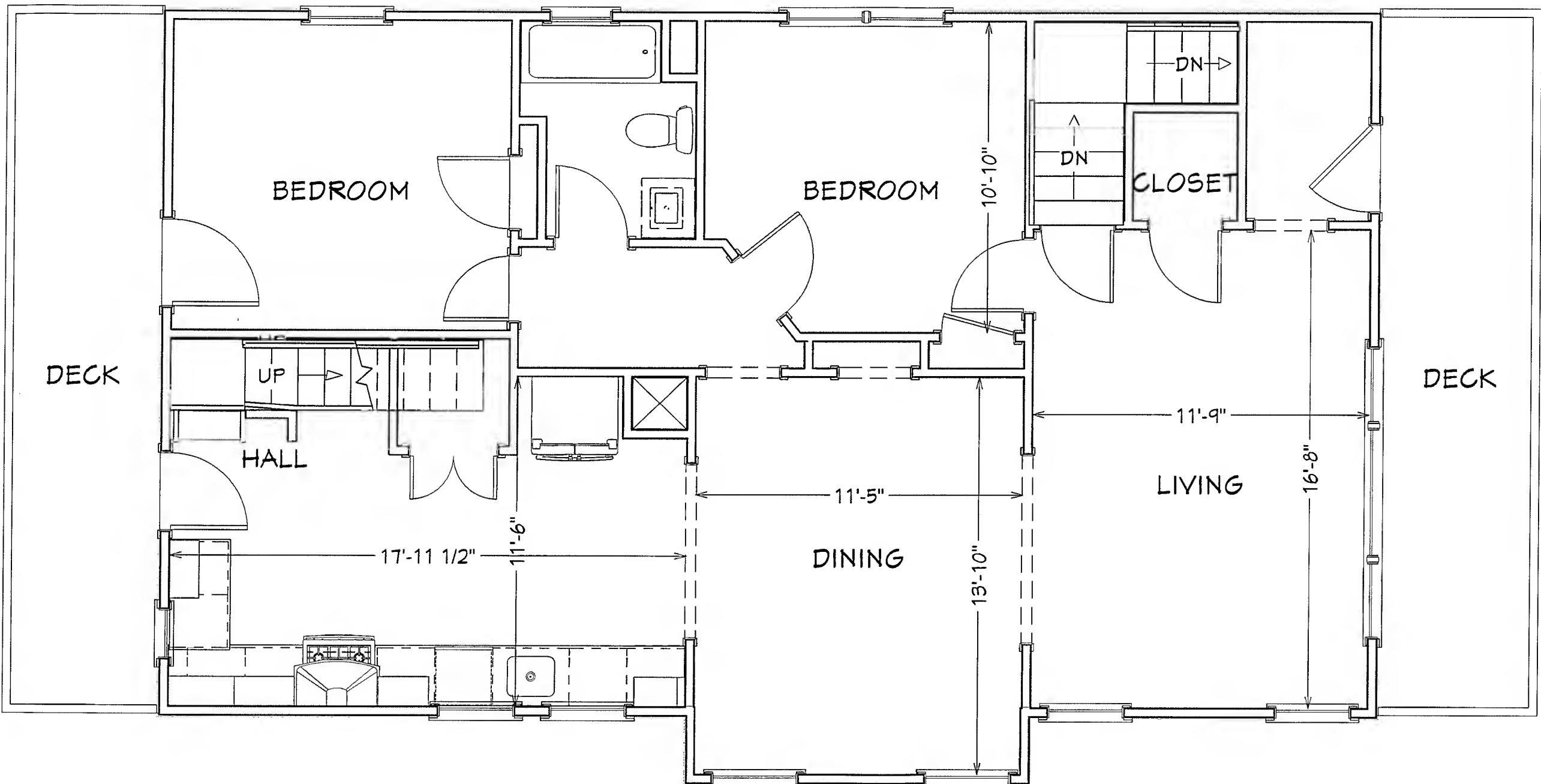
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Yerukhimov Renovation

73 Freeman St
Arlington



Sheet Title
Proposed 2nd Floor

Scale
1/4" = 1'0"

Date
3/26/20

Sheet No.



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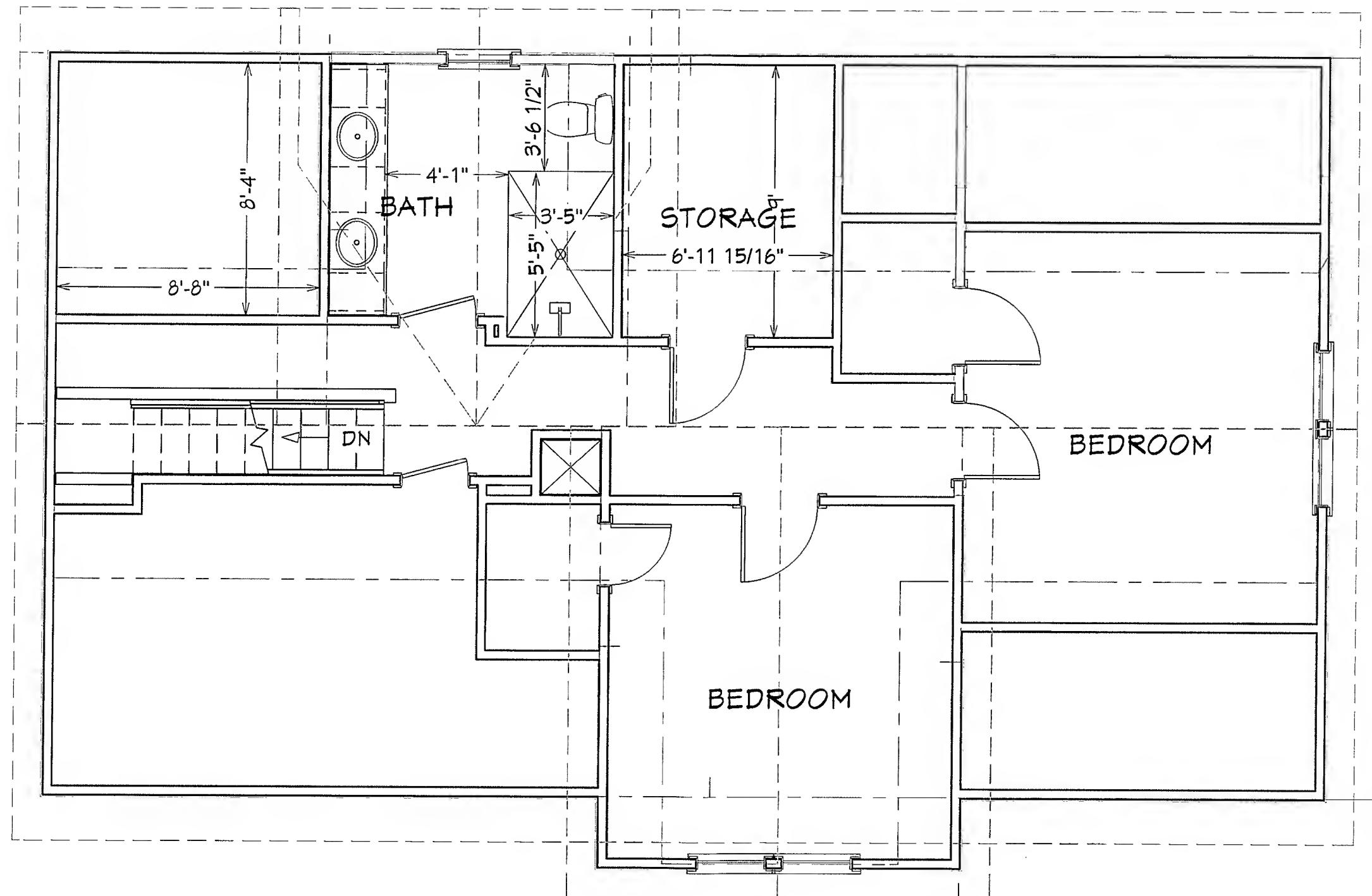
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Yerukhimov Renovation

73 Freeman St
Arlington, MA



Sheet Title
Proposed 3rd Floor
Bathroom

Scale
1/4" = 1'0"

Date
3/26/20

Sheet No.



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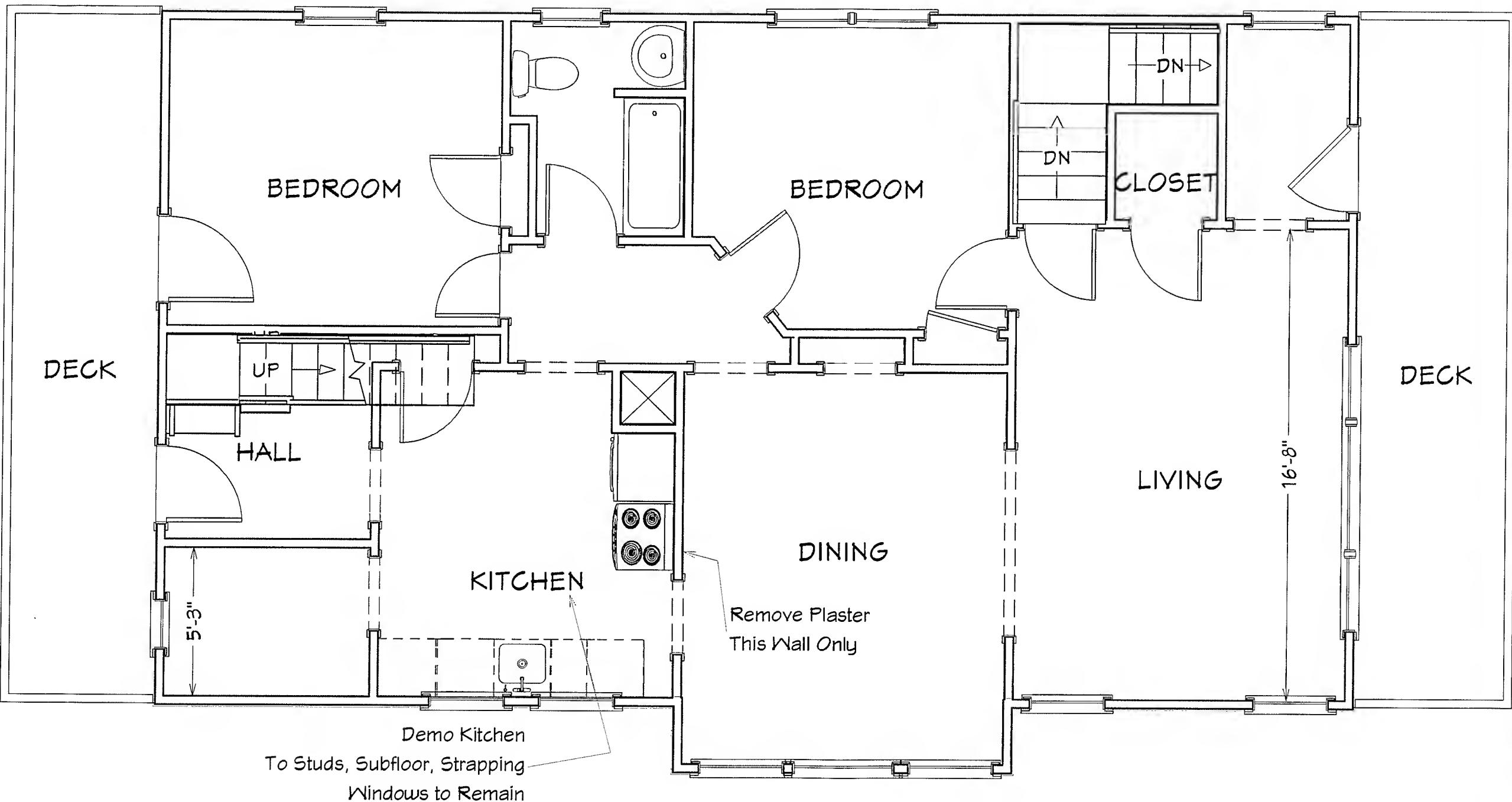
info@buildstillwater.com

Yerukhimov Renovation

73 Freeman St
Arlington, MA

Demo Pantry / Hall
To Studs, Subfloor, Strapping
All Windows and Ext Door to remain

Demo Bathroom
To Studs, Subfloor, Strapping
Window to remain



Sheet Title
2nd Floor Demo

Scale
 $1/4" = 1'0"$

Date
1/14/2020

Sheet No.



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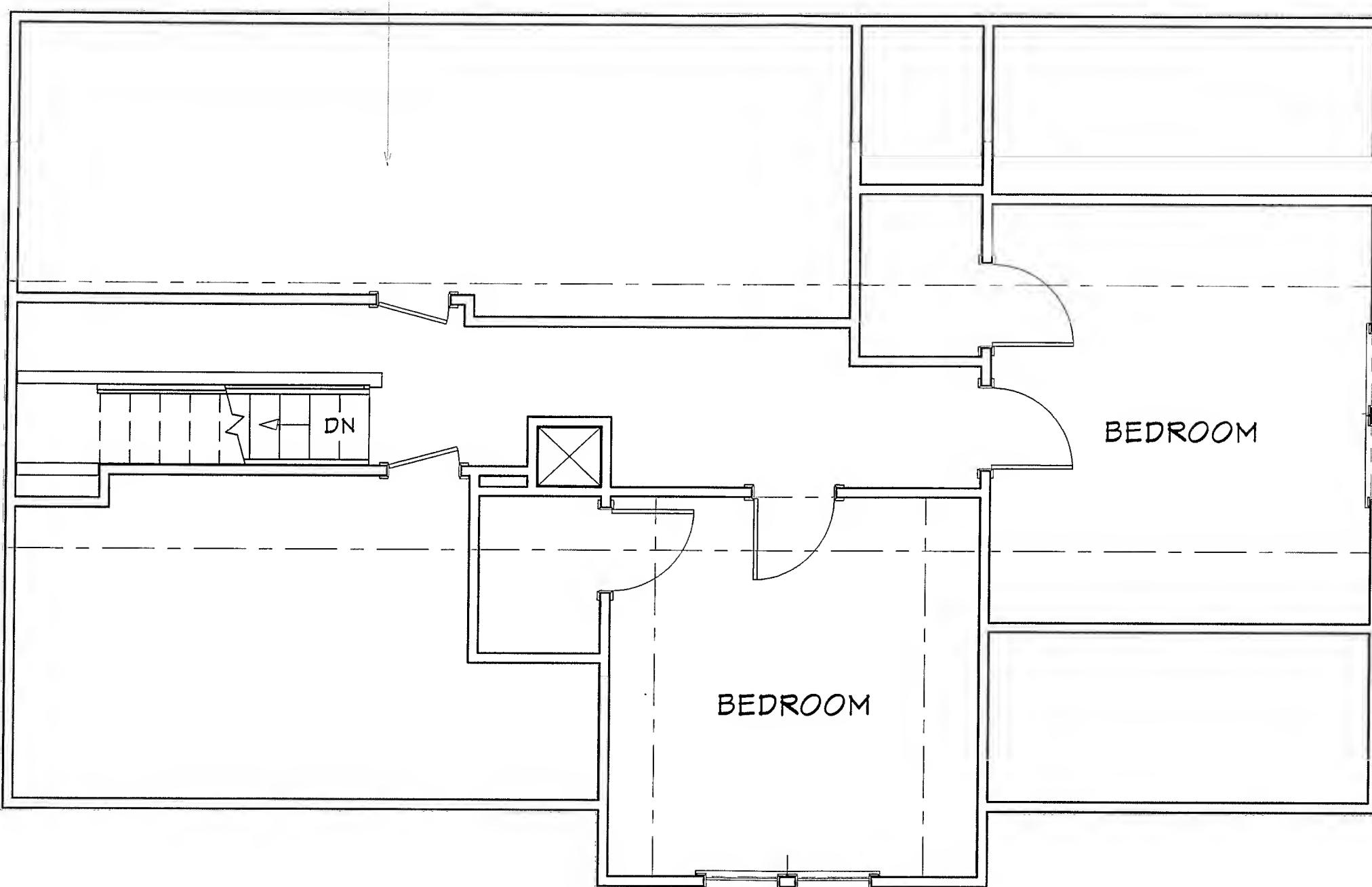
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Remove Insulation, Subfloor, and debris



Yerukhimonov Renovation

73 Freeman St
Arlington, MA

DOOR SCHEDULE									
NUMBER	LABEL	SIZE	WIDTH	HEIGHT	R/I/O	DESCRIPTION	HEADER	THICKNESS	COMMENTS
D01	3068	3068 L/R IN	36 "	80 "	38"X82 1/2"	DOUBLE HINGED-DOOR P04	2X8X44" (2)	1 3/8"	(2) JACKS EA END
D02	6068	6068	72 "	80 "	74"X82 1/2"	DOORWAY	2X12X80" (2)		(2) JACKS EA END
D03	2668	2668 L IN	30 "	80 "	32"X82 1/2"	HINGED-DOOR P04	2X8X38" (2)	1 3/8"	(2) JACKS EA. END



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Yerukhimov Renovation

73 Freeman St
Arlington, MA

Sheet Title
2nd Floor Framing

Scale
1/4" = 1'0"

Date
1/14/2020

Sheet No.



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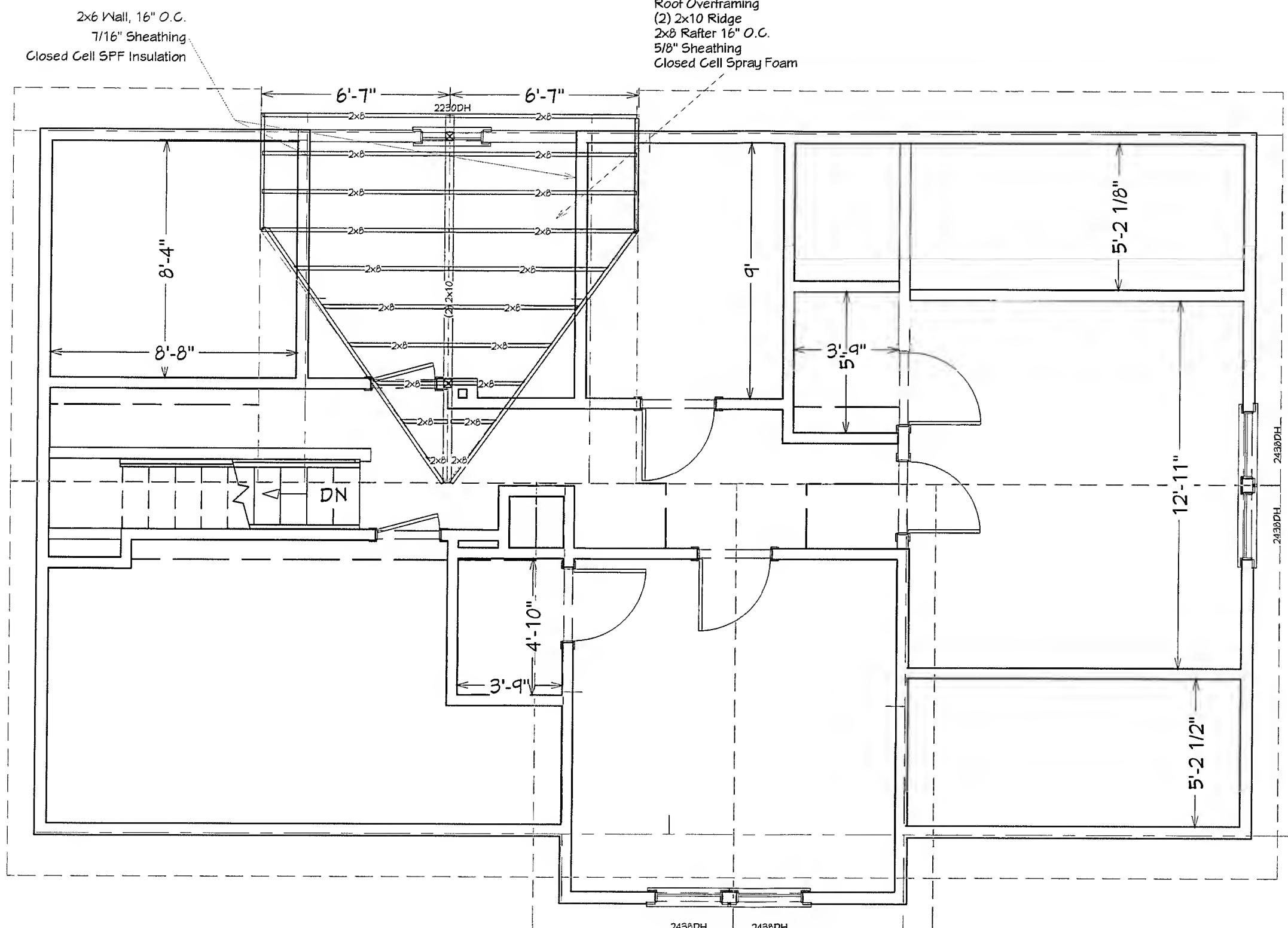
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Yerukhimov Renovation

73 Freeman St
Arlington MA



Sheet Title

3rd Floor Framing

Scale

1/4" = 1'0"

Date
1/14/2020

Sheet No.



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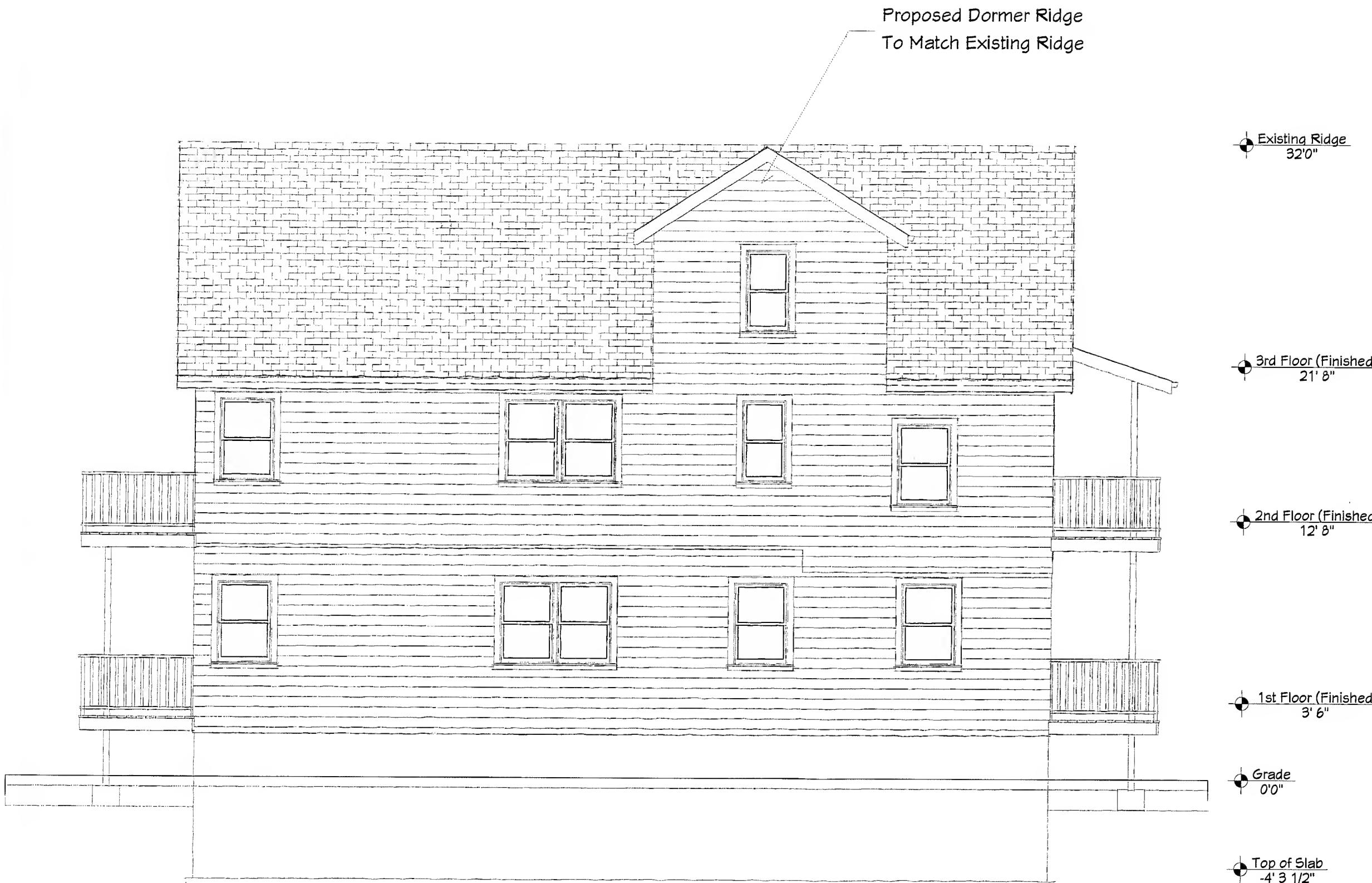
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Yerukhimov Renovation

73 Freeman St
Arlington, MA



Elevation 1

Sheet Title

Proposed Elevation

Scale

3/16" = 1'0"

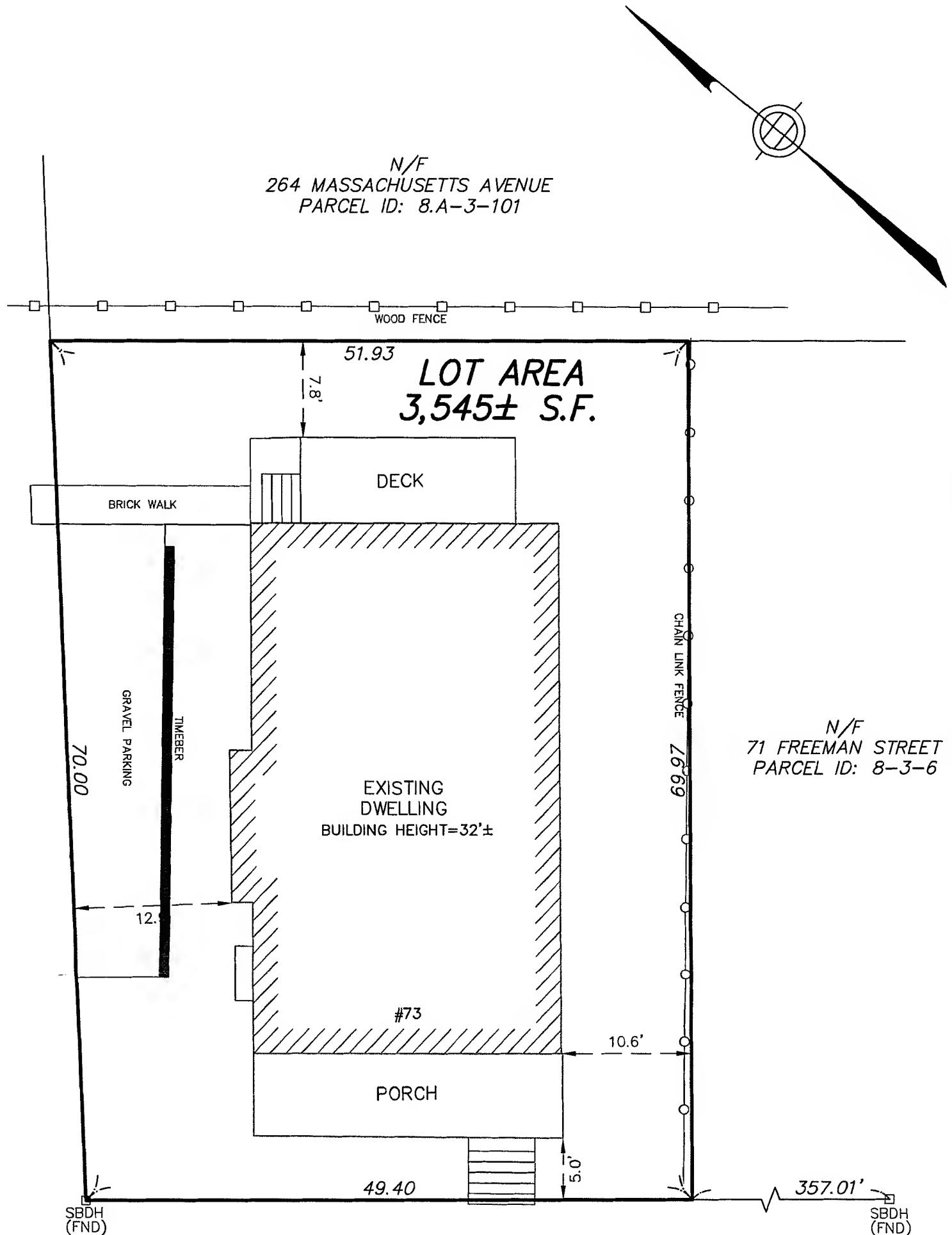
Date

3/26/20

Sheet No.

N/F
264 MASSACHUSETTS AVENUE
PARCEL ID: 8.A-3-101

ELMHURST ROAD
(PRIVATE 40' WIDE)



FREEMAN STREET
(PUBLIC - 40' WIDE)

ZONING SETBACKS: RES-2 TWO FAMILY

FRONT YARD 20'
SIDE YARD 10'
REAR YARD 14'

RECORD OWNER:

ALYSSA & ALEKSEY L YERUKHIMOV
BOOK 73589, PAGE 304

PLAN REFERENCE:
LOT 7 ON PLAN BOOK 273, PLAN 19



GRAPHIC SCALE



1" = 10'

SCOTT M. CERRATO
Professional Land Surveyor

24 Pleasant View Drive - Exeter, NH 03833 - 781-775-3724

I HEREBY CERTIFY THAT THIS PLAN IS BASED
ON AN ACTUAL INSTRUMENT SURVEY MADE ON THE
GROUND IN MARCH 2020 AND THE STRUCTURES
DEPICTED HEREON ARE LOCATED AS SHOWN.

3-12-20

Scott M. Cerrato

DATE

SIGNATURE

PLOT PLAN
73 FREEMAN STREET
ARLINGTON, MASSACHUSETTS
PARCEL ID: 8-3-7

MARCH 12, 2020